

law and facts of the state law claim. *Id.* On June 27, 2023, Defendant filed a response to Plaintiff's objections and motion to remand. ECF No. 11. In its response, Defendant notes that the Court has broad discretion in deciding whether to exercise supplemental jurisdiction over state law claims after all federal claims are dismissed. *Id.* at 2. Defendant argues that the Court should exercise jurisdiction over the state law claims in this case. *Id.* On July 3, 2023, Plaintiff filed a reply in support of its objections. ECF No. 12.

The Court has conducted a *de novo* review of the motion to dismiss, the responses, the report and recommendation, the objections to the report and recommendation, and the applicable laws. After that thorough review, the Court is persuaded that the Magistrate Judge's Report and Recommendation should be adopted in its entirety. While Plaintiff complains the Magistrate Judge erred in failing to recommend remand of the remaining state law claims once he recommended dismissal of the federal claims, after considering the relevant law and the arguments of the parties, the Court retains jurisdiction over Plaintiff's state law claims under 28 U.S.C. §1367(c).


IT IS THEREFORE ORDERED that the Report and Recommendation of United States Magistrate Judge Manske, ECF No. 9, is **ADOPTED**.

IT IS FURTHER ORDERED that Plaintiff's objections are **OVERRULED**.

IT IS FURTHER ORDERED that Defendant's Motion to Dismiss Plaintiff's Complaint (ECF No. 3) is **DENIED AS MOOT** in accordance with the Report and Recommendation.

IT IS FINALLY ORDERED that Defendant's Motion to Dismiss Plaintiff's First Amended Complaint (ECF No. 6) is **GRANTED** in accordance with the Report and Recommendation. Plaintiff's claims against Defendant are hereby **DISMISSED** without prejudice. The Court's clerk is directed to close this case.

SIGNED this 3rd day of July, 2023.



ALAN D ALBRIGHT
UNITED STATES DISTRICT JUDGE